

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	<b>PRELIMINARY</b>
- v. -	:	<b>ORDER OF FORFEITURE</b>
	:	<b><u>AS TO SUBSTITUTE ASSETS</u></b>
JEFFREY SPINA,	:	
	:	18 Cr. 625 (KMK)
Defendant.	:	
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WHEREAS, on or about August 29, 2018, JEFFREY SPINA (the “Defendant”), was charged in a three-count Indictment, 18 Cr.625 (KMK) (the “Indictment”), with conspiracy to commit health fraud, in violation of Title 18, United States Code, Section 1349 (Count One); health care fraud, in violation of Title 18, United States Code, Section 1347 (Count Two); and obstruction of a federal audit, in violation of Title 18, United States Code, Section 1516 (Count Three);

WHEREAS, on or about July 26, 2019, the Defendant pled guilty to Counts One through Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One and Two of the Indictment and agreed to forfeit, pursuant to Title 18, United States Code, Section 982(a)(7), a sum of money in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One and Two of the Indictment;

WHEREAS, on or about November 10, 2022, the Court entered a Consent Preliminary Order of Forfeiture/Money Judgment (the “Order of Forfeiture”), imposing a money judgment against the Defendant in the amount of \$1,872,150.04 in United States currency (the

“Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One and Two of the Indictment that the Defendant personally obtained (D.E. 204);

WHEREAS, as a result of acts and omissions of the Defendant, the United States has not been able to locate, obtain or collect assets traceable to the proceeds of the Defendant’s offenses, despite the exercise of due diligence in investigating the assets of the Defendant;

WHEREAS, the Government has identified the following specific asset in which the Defendant has an ownership interest:

- a. \$1,600,599.24 in United States currency currently held by the Clerk of the Court, Southern District of New York;

(the “Substitute Asset”); and

WHEREAS, the Government is seeking the forfeiture of all of the Defendant’s right, title and interest in the Substitute Asset.

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant’s right, title and interest in the Substitute Asset is hereby forfeited to the United States of America, for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of this Preliminary Order of Forfeiture as to Substitute Assets, the Clerk of the Court disburse the Substitute Asset, less the Clerk’s fees, if any, to the United States in the form of a check payable to the United States Marshals Service which shall reference the Defendant’s name and case number, and be delivered to the Illicit Finance and Money Laundering Unit, United States Attorney’s Office, 26 Federal Plaza, 38<sup>th</sup> Floor, New York, NY.



3. Upon entry of this Preliminary Order of Forfeiture of Substitute Assets, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Substitute Asset and to keep it in its secure, custody and control.

4. Upon entry of a Final Order of Forfeiture, the Substitute Asset shall be applied towards the satisfaction of the Money Judgment entered against the Defendant.

5. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture as to Substitute Assets and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Asset must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

6. The notice referenced in the preceding paragraph shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the Substitute Asset and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

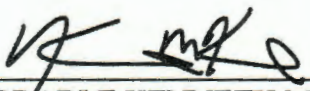
7. The United States may also, to the extent practicable, provide direct written notice to any person, other than the Defendant, known to have an alleged interest in the Substitute Asset, as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Asset, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

9. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Asset, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

Dated: New York, New York  
\_\_\_\_\_, July 28, 2025

SO ORDERED:

  
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HONORABLE KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE